IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL.

Writ Petition No. 1492 (S/S) of 2005

Rajendra Kumar Saini,
aged about 44 years,
son of Sri Kesha Ram,
resident of 583/2, Sainik Colony,
Roorkee,
Haridwar ……Petitioner.

Versus.

1. Uttaranchal Pey Jal through its Managing Director, Dehradun, Uttaranchal.
2. The Managing Director, Uttaranchal Sansadhan Vikas and Nirman Nigam, Dehradun, Uttaranchal.
3. U.P. Jal Nigam, through its Managing Director, 6, Rana Pratap Marg, Lucknow.

……..Respondents.

Hon'ble M.M. Ghildiyal, J.

Heard Sri S.S. Chauhan, learned counsel for the petitioner, Sri D.S. Patni, learned counsel for respondents no. 1 and 2 and Sri Sudhir Singh, learned counsel for the respondent no. 3.

By means of this writ petition, the petitioner has prayed to issue a writ in the nature of Mandamus commanding the respondents to treat the petitioner as the members of Uttaranchal Pey Jal Nigam with all consequential benefits.

Learned counsel for the petitioner has submitted that petitioner is permanent resident of District – Haridwar and the options of the Hill Sub Cadre were never invited from the employees of Construction Division, U.P. Jal Nigam, Haridwar as name of District – Haridwar was never proposed for new State of Uttaranchal.

Learned counsel for the petitioner has further submitted that petitioner is permanent resident of Haridwar and has rendered his entire service in Haridwar (State of Uttaranchal).

In view of the foregoing facts, petitioner may file representation along with domicile certificate before the respondents within a period of ten days from today and respondents may be take decision on the petitioner's representation before 10.11.2005. Till 10.11.2005, petitioner shall not be relieved for the State of Uttar Pradesh.

With this direction the writ petition is disposed of. No order as to costs.

(M.M. Ghildiyal, J.)

October 07, 2005
SKSharma